

SENATE BILL NO. 145

INTRODUCED BY R. LAIBLE

BY REQUEST OF THE FIRE SUPPRESSION COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING PROPERTY INSURERS TO OFFER PREMIUM DISCOUNTS TO PROPERTY THAT CONFORMS TO CERTAIN REQUIREMENTS; AND AMENDING SECTION 33-24-102, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 33-24-102, MCA, is amended to read:

"33-24-102. Insuring improvements -- insurance equal to true value -- premium discounts. (1)

~~Whenever any~~ If a policy of insurance ~~shall be~~ is written to insure any improvements upon real property in this state against loss or damage and the property insured is considered to be a total loss, without criminal fault on the part of the insured or ~~his~~ the insured's assigns, the amount of insurance written in ~~such the~~ the policy ~~shall must~~ be taken conclusively to be the true value of the property insured and the true amount of loss and measure of damages. The payment of money as a premium for insurance ~~shall be~~ is prima facie evidence that the party paying ~~such the~~ the insurance premium is the owner of the property insured; ~~provided~~ However, that any an insurance company may ~~set up claim~~ fraud in obtaining the policy as a defense to a suit thereon on the policy.

(2) A property insurer shall offer premium discounts, approved by the commissioner, to the owners of property whose property conforms to:

(a) the international wildland-urban interface code adopted by the international code council; or

(b) best practices for development within the wildland-urban interface adopted pursuant to 76-13-104(8)(a)."

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